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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,136	04/15/2004	Dennis Joseph Wilfrid Dube	SAA-0103	3135
23569	7590	11/28/2007		
SCHNEIDER ELECTRIC / SQUARE D COMPANY			EXAMINER	
LEGAL DEPT. - I.P. GROUP			LIN, WEN TAI	
1415 S. ROSELLE ROAD				
PALATINE, IL 60067				
			ART UNIT	PAPER NUMBER
			2154	
			MAIL DATE	DELIVERY MODE
			11/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/709,136

Applicant(s)

DUBE, DENNIS JOSEPH WILFRID

Examiner

Wen-Tai Lin

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>6/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-14 are presented for examination.
2. Applicant is reminded to update the statues of applications mentioned in the specification. For example, applications 09/888158 has been issued as patents, but is not updated with its issued patents.
3. For consistency it is recommended that the figure labels appearing on the drawing sheets be the same as those shown in the specification. For example, Figures 1-4 are labeled as Figs. 1-4 on the drawing sheets respectively.
4. The specification is objected to because of the following issues:
 - (i) The hyperlinks on pages 2 and 5 of the specification are objected to because hyperlinks and/or other forms of browser executable code cannot be incorporated by
5. Claims 2-3 and 8-14 are objected to because the following terms appear to lack antecedence basis:
 - (i) claims 2 and 9: "the modbus/tcp protocol";
 - (ii) claims 3 and 10: "the serial modbus protocol"; and
 - (iii) claim 8: "said web browser".

6. Claims 2-7 are objected to because it appears that the whereby clauses merely state the results of the limitations in the claims and add nothing to the patentability or substance of the claims. To avoid such interpretation it is recommended to change the word "whereby" to "wherein".

7. Claims 1-14 would be allowable if rewritten or amended to overcome the objections set forth in this Office Action above.

8. The following is an examiner's statement of reasons for allowance:

The prior art of record does not teach or suggest individually or in combination a method of communicating between a web browser and an automation device using an intermediate process (e.g., a gateway, bridge, or proxy) to interface the nominal HTTP protocol and a MODBUS type of protocol, wherein:

a request message sent from the web browser is encapsulated in the MODBUS type of protocol so as to be received by the automation device; and

in response, a reply message using the MODBUS type of protocol is sent from the automation device to the intermediate process and reformatted to a message (such as an HTTP protocol) understandable by the web browser.

9. Conventional approach for sending a message from the Internet environment to a MODBUS device is by establishing a gateway or the like for converting between a

network standard protocol (such as TCP/IP) and the MODBUS type of protocol. Further, information from an Internet sender may be formed in MODBUS-TCP/IP protocol (i.e., by encapsulating a MODBUS frame in the conventional TCP/IP frame) and use an intermediate process to de-capsulate the message such that a MODBUS device receives the message via a conventional MODBUS type of protocol. The feature of encapsulating a browser's HTTP message in a MODBUS type of protocol implies that the automation device must understand the HTTP message (via, e.g., an embedded web server). On the other hand, the requirement of "reformatting" (by the process) a reply message sent from the automation device implies that the reply message is formed differently. That is, instead of using the encapsulation and decapsulation procedures for processing the inbound and outbound messages, the process handles an out-bound message (sending from the automation device to the browser) by reformatting the message.

10. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 days from the mail date of this letter. Failure to respond within the period for response will result in ABANDONMENT of the application (see 35 U.S.C. 133, M.P.E.P. 710.02, 710.02(b)).

Conclusion

Examiner note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the contest of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday(8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(571) 273-8300 for official communications; and

(571) 273-3969 for status inquires draft communication.

Art Unit: 2154

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

November 20, 2007

Wen Tai Lin
11/20/07